BROWNSVILLE
PUBLIC UTILITIES BOARD

LEGAL NOTICE

AND

REQUEST FOR PROPOSALS
P032-24

The Brownsville Public Utilities Board will accept sealed proposals for Implementation of a Capital Planning and Project Management software, **until 5:00 PM, April 17, 2024,** in the Brownsville PUB Purchasing Department, located at 1155 FM 511, Olmito, Texas 78575. **Proposals received after this time will not be considered.**

Proposals will be publicly opened and read aloud on April 18, 2024 at 10:00 AM. Firms can call in at 10:00 AM, April 18, 2024 to (956) 214-6020 to listen to the proposal opening.

Detailed specifications may be obtained at the following website: https://www.brownsville-pub.com/rfp_status/open/

Please mark on the outside of the envelope and on any carrier's envelope: "**P032-24 SEALED PROPOSALS FOR IMPLEMENTATION OF A CAPITAL PLANNING AND PROJECT MANAGEMENT SOFTWARE, APRIL 17, 2024**, **5:00 PM**", and send to the attention of Diane Solitaire, Purchasing Department, 1155 FM 511, Olmito, Texas 78575.

The Brownsville Public Utilities Board will not be responsible in the event that the U.S. Postal Service or any other courier system fails to deliver the sealed proposals to the Brownsville Public Utilities Board, Purchasing Office by the given deadline above.

The Brownsville PUB reserves the right to reject any or all proposals and to waive irregularities contained therein and to accept any proposal deemed most advantageous to the Brownsville PUB.

Any Proposal may be withdrawn prior to the above-scheduled time for the opening of Proposals or authorized postponement thereof. All timely proposals become the property of the BPUB upon receipt and shall not be returned. Any information deemed to be confidential by respondent should be clearly noted on the page(s) where the confidential information is contained. BPUB, however, cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by the respondent may not be considered confidential under Texas law, or pursuant to a Court Order.

BY:

Diane Solitaire
Purchasing and Materials Manager
Phone: (956) 983-6366

INSTRUCTIONS TO PROPOSERS

Please submit this page upon receipt.

ACKNOWLEDGEMENT FORM

P032-24 Implementation of a Capital Planning and Project Management Software

For any clarifications, please contact Diane Solitaire at BPUB Purchasing Department at (956) 983-6366 or e-mail: dsolitaire@brownsville-pub.com.

Please e-mail this page upon receipt of the RFP package or legal notice. If you only received the legal notice and you want the RFP package mailed, please provide a method of shipment with account number in the space designated below.

Check one:

( ) Yes, I will be able to send a RFP; obtained RFP package from website.

( ) Yes, I will be able to send a RFP; please email the RFP package.
Email: ___________________________________

( ) Yes, I will be able to send a RFP; please mail the RFP package using the carrier & account number listed below:
Carrier: _____________________________________
Account: ______________________________

( ) No, I will not be able to send a RFP for the following reason:

____

____

If you are unable to send your proposal, kindly indicate your reason for "No bid" above and return this form **via email to: dsolitaire@brownsville-pub.com**. This will ensure you remain active on our vendor list.

Date: _________________________________

Company: ____

Name: ____

Address:____

City: __________________State:________________ Zip Code: ______________________

Phone: ______________________________________E-mail: _________________________

IF SPECIFICATIONS ARE DOWNLOADED FROM WEBSITE PLEASE EMAIL THIS PAGE TO EMAIL LISTED ABOVE

REQUEST FOR PROPOSAL

Implementation of a Capital Planning and Project Management Software

GENERAL BACKGROUND

The BPUB System and Organization

BPUB is an agency formed by the City of Brownsville, Texas, under Article VI of its Home Rule Charter. The Board is organized for the purpose of aiding and acting on behalf of the City to manage and control the City's municipally owned electric, water and wastewater systems.

BPUB is governed by the Board of Directors ("Board"), which has control and management supervision of all affairs of the utility as detailed below. The Board holds a regular meeting once a month and occasionally holds special meetings and workshops.

The Brownsville Public Utilities Board (BPUB) is a component unit of the City of Brownsville, Texas and is 92.91% participant of the Southmost Regional Water Authority (SRWA). The BPUB was formed in 1960 to provide electrical, water, and wastewater services to its customers in the Brownsville area, and the Authority provides treated water to various areas of the lower Cameron County. Pursuant to the City's Charter, management, operation, and control of the City's combined water, wastewater, and electric utilities system is delegated to the BPUB, and the Authority has a mutual agreement with the BPUB authorizing the BPUB to manage all accounting and reporting functions. The Authority is comprised of all of the territory contained within the City of Brownsville, the City of Los Fresnos, the Town of Indian Lake, Brownsville Navigation District of Cameron County, and Valley Municipal Utility District No. 2 of Cameron County.

The BPUB governance is comprised of seven-member Board of Directors, six of whom are appointed by the City Commission to a four-year term, and the seventh member reserved for the City's Mayor, serving ex-officio. The Board appoints a General Manager and Chief Executive Officer who is responsible for the management of all BPUB employees and for administering all affairs of the BPUB.

BPUB executive administration includes a general manager/chief executive officer, an assistant general manager/chief operations officer, a chief administrative officer, a chief legal officer, and a chief financial officer that oversee specific divisions. BPUB employs approximately 631 employees. BPUB's fiscal year is a 12-month period ending September 30th of each year.

The **Electric System** provides retail electric service through its electric facilities to consumers inside and outside the city limits. The existing customer service area of the electric facilities encompasses approximately 133 square miles of Cameron County, including substantially the entire City (estimated by the Public Utilities Board at over 96%). The electric system serves a growing base of about 54,008 customers and serves a peak load of 301 MW. Current power supply resources, mainly owned by the BPUB, are sufficient to cover demand for the regulatory planning horizon.

BPUB meets its power supply obligations through a combination of resources: (i) the operation of the Silas Ray Power Production Facilities owned and operated by the BPUB (composed of one conventional steam turbine unit and a re-powered steam turbine in Combined Cycle with a combustion turbine and a GE LM6000 gas turbine generator for an estimated gas fired capability of 115 MW), (ii) the operation of the Calpine/Hidalgo combined cycle Power Plant in which BPUB has an ownership interest entitling it to 105 MW of capacity, (iii) a Power Purchase Agreement with Constellation Energy Generation, LLC, formerly ,Constellation Energy Corporation entitling BPUB to 78 MW of renewable energy, (iv) a Power Purchase Agreement with AEP Energy Partners, Inc. entitling the Board to an estimated 65 MW of energy, and (v) economy energy purchases via the ERCOT Energy Market.

The **Water System** draws raw water from the Rio Grande River and consists of a river rock weir, a river pump station, two reservoirs providing 187 million gallons total capacity, and a raw water transport system. Surface water treatment is achieved by two water treatment plants providing 40 million gallons per day (MGD) of total capacity (20 MGD treatment capacity each). Two clear wells provide 6.585 million gallons storage capacity, and four elevated storage tanks provide 7 million gallons of elevated storage capacity. Water is pumped by three high-service pumping stations into the distribution system which consists of 715 miles of transmission and distribution mains. BPUB mainly sells to residential and commercial customers, but also sells treated water on a wholesale basis to three other water distribution companies that amount to approximately 8.03% of revenues. The BPUB partnered with the SRWA and built a 7.5 million gallon per day reverse osmosis water treatment plant of which BPUB has 92.91% ownership. The Authority's plant completed an expansion in December 2015 to provide microfiltration pretreatment and a total production capacity up to 10 MGD. SRWA's plant includes a 7.5 million gallon storage tank.

The **Wastewater System**, consisting of collection and treatment facilities, includes gravity wastewater collection lines, 178 lift stations and two treatment plants. Wastewater is transported by lift stations and associated force mains to one of two wastewater treatment plants – the Robindale Plant or the South Plant. The Robindale Plant has a treatment capacity of 14.5 MGD and provides preliminary waste treatment with new technology, headworks facility featuring fine screens with head cell grit removal with combined compactor washer system and includes an odor control system. It also provides secondary waste treatment utilizing a Modified Ludzack-Ettinger (MLE) process of activated sludge, turbo blowers with auto dissolved oxygen control, secondary setting, ultra-violet light system, effluent cascade aeration system, sludge thickening, aerobic digestion, mechanical sludge dewatering and land disposal of sludge via a Dedicated Land Disposal (DLD) site of 137 acres. The South Plant has a treatment capacity of 12.8 MGD. The South Plant treatment process uses activated sludge, complete-mix, and aerobic digestion. Sludge is thickened and disposed of at a DLD. A two-meter belt filter press is used for bio-solids dewatering and the headwork facility includes an odor control system.

BPUB's Fiscal Years 2024-2028 Capital Improvements Plan Budget includes $104.1 million in Electric spending requirements for transmission, distribution and power production improvements. Funding for the Electric plan is expected to be provided primarily from current revenue with some funding from commercial paper issuance followed by the issuance of long-term debt.

It is also anticipated that the Water and Wastewater System will require approximately $87.2 million for system improvements. Such improvements will include treatment facility improvements, reservoir, pump station and lift station improvements, and major transmission, distribution and collection improvements. It is anticipated that such improvements will be financed through a combination of current revenues, the issuance of commercial paper followed by the issuance of long-term debt, Impact Fees, and grants.

The BPUB has authorized commercial paper programs for the Combined Utility Systems of $100 million in tax-exempt commercial paper.

PURPOSE

In Fiscal Year 2024, BPUB's Capital Budget is $91,717,365, with the budget for its 5-year Capital Improvement Plan (CIP) totaling $203,299,486. CIP Projects span various areas, including utilities, infrastructure, and technology, and are managed by various project managers.

Currently, BPUB relies on traditional file documentation, utilizing tools like Microsoft Word, Excel, Project and Outlook for project tracking. With the increasing complexity of the utility's capital program, there is a need for a centralized and web-based software solution to enhance project management efficiency, streamline communication, and improve overall project visibility.

The primary goal of this RFP is to identify an integrated, web-based software solution for BPUB's capital planning, budgeting, and project management needs. The software should facilitate efficient project execution, communication, documentation, reporting, and collaboration amongst the various BPUB departments and stakeholders. The solution is expected to cover all aspects of capital improvement projects, including budget tracking, reporting, document management, scheduling, and progress tracking.

Key Functionality Sought:

1. Multi-year Capital Planning: The software should support multi-year capital planning aligned with BPUB's project life cycles.

2. Budget Forecasting and Tracking: Provide tools for forecasting and tracking actuals with a reliable audit trail.

3. Efficient Document Management: Enable consolidation and management of project documents with transparency and compliance features. Must provide and support web-based business interface for consultants and contractors throughout project design and construction, and internal/external approval capabilities. This

shall include electronic signature capabilities accommodating strong user authentication schemes compliant with State and Federal laws.

4. Analytics for Data-driven Decision Making: Facilitate analytics of capital spending to support data-driven decision-making.

5. Risk Management: Include features for identifying, assessing, and managing project risks.

6. Out-of-the-box Reporting and Dashboards: Provide pre-built reports, dashboards, and out-of-the-box reporting capabilities.

7. Mobile Interface: Offer an easy-to-use mobile interface for on-the-go access.

8. Configurability and Scalability: Configurable to meet BPUB's specific needs, accommodating future growth.

9. Integration with Financial System: Ability to pull and push data from BPUB's Financial (ERP) system (Banner-Ellucian Company).

SCOPE OF SERVICES OVERVIEW

BPUB is seeking a software package that will fulfill the following functions:

1. Project Management and Tracking

a. Robust project management capabilities, including project planning, cost estimation, scheduling, procurement, progress and financial tracking, encumbrance, and related reporting for multi-year capital projects.

b. Enables project managers and members of BPUB management to track project budgets, contract time, quality and scope, estimate costs, manage expenses, risks, and monitor financial performance. Provide tools for cost estimation, for in-house construction as well as outside procured construction, cost tracking, and variance analysis.

c. Ability to support multiple projects and their interdependencies, including multilevel project structures, phases, tasks, locate projects on a map, and sub-tasks aligned with financial coding.

d. Ability to assign resources to tasks, track resource availability and utilization, and optimize resource allocation to ensure efficient project execution. Allow project managers to allocate contractors, personnel, equipment, and materials effectively.

e. Enable project managers to track project progress as defined by the schedule, milestones, and deliverables, provide real-time visibility into project status, track status of tasks, pending activities, and overall project performance.

f. Ability to readily enable project managers add and retire assets in a user friendly and efficient manner. Ability to document overall assets and keep track of assets for both accounting purposes and operation and maintenance, i.e. keep track of both capital and non-capital assets.

2. Cost Estimation Database
   a. Creation of a database containing outside vendor construction costs in order to help project managers generate estimates utilizing past bid prices as a reference.

3. Capital Planning and Forecasting
   a. Allow for budget planning, forecasting, and tracking for individual projects and all projects within or across fund(s).
   b. Create forecasting models to estimate project expenditures and revenues, timelines, and funding requirements for future years. Allow the user to create multiple scenarios to assess the impact of different assumptions on the budget.
   c. Monitor expenditures and provide real-time updates on project costs and revenue, risks, and overall impact to projects and BPUB funds.

4. Document Management
   a. Provide a centralized document repository for storing project-related files, including contracts, RFIs, meeting minutes, permits, drawings, specifications, and change orders.
   b. Version control and document sharing capabilities for collaboration among project stakeholders.
   c. Document tracking and audit trails for accountability and compliance purposes.

5. Communication and Collaboration
   a. Communication and collaboration tools to facilitate teamwork and communication between project stakeholders, including project managers, team members, contractors, and other stakeholders.
   b. Features such as discussion boards, chat functionality, and notifications to enhance collaboration and ensure effective communication are preferred, but not required.
   c. Workflow automation and approval/review processes for streamlined decision-making.
   d. Offer an intuitive, easy-to-use mobile application, enabling project managers and team members to access project information, update tasks, and collaborate on the go.

6. Risk and Change Management
   a. Tools to assist in identifying, assessing, and managing project risks.
   b. Allow project managers to document risks, assign risk owners, track risk mitigation actions, and generate risk reports.
   c. Include features for conducting risk assessments.
   d. Facilitate the identification, tracking, and resolution of project issues, as well as

the management and tracking of change requests.

7. Reporting and Analysis
    a. Reporting and analysis tools to provide insight into the budget, operations departments, and project performance.
    b. Pre-built reports as well as configurable reports and dashboards to track real-time project progress, budget status, and resource utilization.
    c. Data analytics capabilities that enable insights into project performance, trends, and opportunities for improvement.
    d. Allow the user to generate reports on budget variance, budget to estimates and actuals, project status, and other key performance indicators. It should allow the user to export reports in various formats, such as MS Project, PDF, Excel, or CSV. It should support GFOA compliant reporting capabilities aligned with best practices.

8. Integration and Scalability
    a. Ability to integrate with other systems used in the organization, such as the BPUB's Financial (ERP) system (Banner), document management (Laserfiche), GIS systems (ArcGIS), and our work management system (Cityworks).
    b. Configurable to meet BPUB's specific program and project management requirements including modifying workflows and processes.
    c. Scalable to accommodate program growth and changing needs.
    d. Ability to manage multiple projects simultaneously, with the ability to prioritize and shift resources across projects as needed.

9. Access Control
    a. Role-based access to screens, features, and data.
    b. Pre-designed workflows for approvals with clear audit trails.

10. CIP Development & Publication
    a. Platform to create, populate, and update project summary and detailed sheets for funded and unfunded capital projects in the 5-year CIP. Sheets should include proposed/approved funding by year, location, description, maintenance needs, and relevant figures.
    b. Configurable to meet the BPUB's specific needs, easily updatable, reflecting the most up-to-date funding information for each project.

11. Support and Maintenance
    a. Robust support and maintenance plan to ensure that it remains functional and up-to-date.
    b. The plan should include regular updates, bug fixes, and user support.

c. Availability of comprehensive training resources, user manuals, customized work instructions and online tutorials.
d. Technical support and troubleshooting services.
e. Regular software updates and maintenance.
f. Disaster recovery measures to retrieve BPUB data if needed.

12. Security
a. Sound security policies, procedures and controls with annually conducted third third-party vulnerability scans and penetration tests. Must be able to provide cybersecurity score card and real-time threat hunting mechanisms to be in par with insurance companies.
b. PCI / SOC 2 compliance required
c. Regular system back-ups with well-vetted disaster recovery policies to protect the integrity of the BPUB's data and allow for access to the data in the event of an emergency.

MILESTONES & TIMELINE

BPUB has established the following milestones relating to the project. Please indicate in the table below the estimated duration of each milestone. BPUB estimates the time to reach Go-Live should take 6 months from the start of the project.

Milestone	Description	Duration of Milestone
1	Project Kickoff	
2	Requirement Gathering and Analysis; Business Process Developments	
3	Software Customization and Configuration	
4	Testing and Quality Assurance	
5	User Training	
6	Soft Launch and Feedback Collection	
7	Optimization and Refinement	
8	Full-Scale Deployment	
9	Integration Testing	
10	Final User Acceptance Testing	
11	Go-Live	
12	Post – Implementation Review	
13	Ongoing Support and Maintenance	
14	Security and Compliance Monitoring	
15	Disaster Recovery Testing	

PROPOSERS MINIMUM QUALIFICATIONS AND BACKGROUND

1. Compatibility with the BPUB's technology infrastructure.

2. A complete commercial "off the shelf" or "out of the box" solution that has been successfully implemented for public agencies of comparable size and that follows best practices offered by the software.

3. Alignment with the functional requirements as defined in this RFP.

4. Requires no modification to base code and is configurable to meet the needs of the BPUB, now and into the future.

5. Must be able to be a hosted (SaaS) solution.

6. Solution must receive standard updates including security updates with minimal to zero downtime.

7. 24x7x365 customer support with varying levels of response based on incident severity.

8. An intuitive interface and an easy learning curve to facilitate rapid adoption and minimize the need for external on-going training services.

9. A comprehensive library of standard reports and tools for end user ad hoc reporting and queries.

10. Knowledge transfer to BPUB staff with access to online help and training for end users.

11. Single Sign-On (SSO) with Azure AD compatibility preferred.

12. Allow pre-defined workflows involving approvers/reviewers in multiple departments depending on type of item and originating department. Allow for primary and backup approvers/reviewers at each level. Allow email notifications to inform approvers/reviewers of pending approvals.

13. Provide role-based access to configure application including workflows.

14. Easy integration with other systems including the BPUB Financial System Banner, ArcGIS, Laserfiche, City Works, and Microsoft Dynamics.

15. Compliance with State of Texas accounting requirements including Budgeting, Accounting and Reporting System (BARS) and Government Finance Officers Association (GFOA) requirements.

COMPANY-CUSTOMER RELATIONSHIPS

1. Discuss the means of maintaining relationships between the company and a client. Describe the customer service offered to clients.

2. Provide the name, title, email address and telephone number of the individual within the company who will serve as the primary contact should a contract be awarded based on this Proposal.

3. Describe the company’s ability to maintain a high level of effective communication with BPUB.

BUSINESS REFERENCES

In addition to business references that can attest to the effectiveness and efficiencies of the product or service firms are proposing, the following information must also be provided under this section:

1. Details of all past or pending litigation or claims filed against your company that would negatively impact your company's performance under an agreement with BPUB.

2. A statement on whether or not your company is currently for sale or involved in any transaction to expand or to become acquired by another business entity. If yes, please explain the impact both in organizational and directional terms.

3. A statement on whether or not your company currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity. If yes, specify date(s), details, circumstances, and prospects for resolution.

4. A statement on how long your company has been in business under the current name.

INSTRUCTIONS TO RFP RESPONDENTS

Firms must submit five (5) signed identical copies and one (1) electronic version of the entire proposal document (PDF format on a USB stick) in a sealed package. Proposals shall be submitted to the BPUB Purchasing Office, 1155 FM 511, Olmito, Texas, no later than **5:00 PM on April 17, 2024**.

Sealed envelope must be clearly labeled as follows:

Brownsville Public Utilities Board
Attention: Diane Solitaire
1155 FM 511
Olmito, TX 78575

P032-24 SEALED PROPOSALS FOR IMPLEMENTATION OF A CAPITAL PLANNING & PROJECT MANAGEMENT SOFTWARE, APRIL 17, 2024, 5:00 PM.

CONTRACT WITH FIRM/ENTITY INDEBTED TO BPUB

It is a policy of the BPUB to refuse to enter into a contract or other transaction with an individual, sole proprietorship, joint venture, Limited Liability Company or other entity indebted to BPUB.

FIRM REPRESENTATIVE

The successful Firm agrees to send a personal representative with binding authority for the company to the BPUB upon request to make adjustments and/or assist with coordination of all transactions as needed.

VENDOR ACH (DIRECT DEPOSIT) SERVICES

The Brownsville PUB has implemented a payment service for vendors by depositing the payment directly to the vendor's bank account. Successful vendor(s) will be required to receive payments directly through Automated Clearing House (ACH) in lieu of a paper check. **The awarded vendor must agree to receive payments via ACH (Direct Deposit).**

TAX IDENTIFICATION NUMBER (TIN)

In accordance with IRS Publication 1220, a W9 form, or a W8 form in cases of a foreign vendor, will be required of all vendors doing business with the Brownsville PUB. If a W9 or W8 form is not made available to Brownsville PUB, the first payment will be subject to income tax withholding at a rate depending on the U.S. status and the source of income as per IRS Publication 1220. **The W9 or W8 form must be included with proposal response.** Attached are sample forms.

TAXES

The BPUB is exempt from Federal Excise Tax, State Sales Tax and Local taxes. Do not include tax in the proposal. If it is determined that tax was included in the proposal, it will not be included in the tabulation or any awards. Tax exemption certificates will be furnished upon request.

SIGNING OF PROPOSAL

Failure to sign proposal will disqualify it. Person signing proposal should show title or authority to bind their firm to a contract.

EEOC GUIDELINES

During the performance of this contract, the Firm agrees not to discriminate against any employee or applicant for employment because of race, national origin, age, religion, gender, marital or veteran status or physically challenging condition.

CONTRACT AND TERM

The services shall be performed in Brownsville, Texas. A professional consulting and technical services contract for the services will be placed into effect after evaluation and final approval by BPUB Board of Directors. Term of the contract shall be for three years with the option to renew the software subscription for additional years, if the price and services are satisfactory and agreed upon in writing by both parties.

BROWNSVILLE PUB RIGHTS

1. If only one or no proposal is received by "submission date", the BPUB has the right to reject, re-advertise, accept and/or extend the proposal by up to an additional two (2) weeks from original submission date.
2. The right to reject any/or all proposals and to make award as they may appear to be advantageous to the Brownsville Public Utilities Board.
3. The right to hold proposal for up to 90 days from submission date without action, and to waive all formalities in proposal.
4. The right to extend the total proposal beyond the original 90-day period prior to an award, if agreed upon in writing by all parties (BPUB and Firm/contractor) and if proposer/Firm holds original proposal prices firm.
5. The right to terminate for cause or convenience all or any part of the unfinished portion of the Project resulting from this solicitation within thirty (30) calendar days written notice; <u>for cause</u>: upon default by the Firm/contractor, for delay or non-performance by the Firm/contractor; or if it is deemed in the best interest of the BPUB <u>for BPUB's convenience</u>.
6. The right to increase or decrease services. In proposal, stipulate whether an increase or decrease in services will affect proposal price.

CORRECTIONS

Any interpretation, correction, or change to the RFP will be made by ADDENDUM. Changes or corrections will be issued by the BPUB Purchasing Department. **Addenda will be emailed to all who have returned the Proposal Acknowledgement form.** Addenda will be issued as expeditiously as possible. It is the responsibility of the Firms to determine whether all addenda have been received. It will be the responsibility of all respondents to contact the BPUB prior to submitting a response to the RFP to ascertain if any addenda have been issued, and to obtain any all addenda, execute them, and return addenda with the response to the RFP. Addenda may also be posted on the BPUB website.

PROJECTED PROJECT TIMELINE

The BPUB has established the following timeline relating to the selection process. Dates are estimates only and are subject to change.

RFP advertised	March 2 and March 9, 2024
Last day to submit questions	March 26, 2024
Proposals due	April 17, 2024 by 5:00 PM
Proposal Acknowledgement	April 18, 2024 at 10:00 AM
Proposals evaluated	April 22, 2024 – May 10, 2024
Board approval of contract award	June 10, 2024
Project Start Date	July 15, 2024

REFERENCE CHECKS

The BPUB will contact prospective firm’s references by email or telephone. Provide company name, address, email address, telephone number and contact name for three (3) references. Complete the attached “Previous Customer Reference Worksheet” for each reference provided.

RFP IS NOT A BASIS FOR OBLIGATIONS

This request for competitive sealed proposals does not constitute an offer to contract and does not commit the BPUB to the award of a contract to anyone or to pay any costs incurred in the preparation and submission of proposals. The BPUB reserves the right to reject any or all proposals that do not conform to the requirements stated in this document. The BPUB also reserves the right to cancel all or part of this request for proposals for any reason determined by the BPUB to be in the best interest of the rate payers.

RIGHTS TO SUBMITTED MATERIALS

All proposals and material submitted to the BPUB by a firm, in response to this RFP, shall become the property of the BPUB after the proposal submission deadline. The BPUB’s return of the proposals/material will be subject to the requirements of the laws of the State of Texas.

UNAUTHORIZED COMMUNICATIONS

After release of this solicitation, Proposer’s contact regarding this RFP with members of the RFP evaluation, interview or selection panels, and employees of the BPUB or officials of the BPUB other than the Purchasing Manager or Purchasing Staff is prohibited and may result in disqualification from this procurement process. No officer, employee, agent or representative of the Proposer shall have any contact or discussion, verbal or written, with any members of the BPUB Board of Directors, members of the RFP evaluation, interview, or selection panels, BPUB staff, or directly or indirectly through others, seek to influence any BPUB Board member, BPUB staff regarding any matters pertaining to this solicitation, except as herein provided. If a representative of any Proposer violates the foregoing prohibition by contacting any of the above listed parties with whom contact is not authorized, such contact may result in the Proposer being disqualified from the procurement process.

PROPOSAL INFORMATION

All proposal envelopes shall contain five (5) signed identical copies and one (1) electronic version of the entire proposal document (PDF format on a USB stick). The original proposals will be opened and only the Firm's name read aloud at the BPUB Purchasing Office located at 1155 FM 511, Olmito, Texas. All proposals will be managed by BPUB in a manner that avoids disclosure of the contents to competing firms and keeps the proposals confidential during any negotiations. All proposals will be open for public inspection as stated in the public information act, after the contract is awarded; however, trade secrets and confidential commercial or financial information in the proposals specifically identified by the firms will not be open for public inspection. Accordingly, all pages in the proposal that the Firm considers to be proprietary and confidential should be appropriately marked.

Direct any questions to Diane Solitaire via email at dsolitaire@brownsville-pub.com.

Candidates must guarantee their Original Proposal or subsequently clarified proposal for at least ninety (90) days from the Original Proposal opening date. To obtain the best and final offers, the BPUB may require written clarifications and explanations of Firm proposals after Original Proposal submissions when certain candidates have been selected for interviews. The BPUB will not be liable for any of the Firm's costs or expenses incurred in preparation or presentation of the Proposal(s). The BPUB also reserves the right to conduct a pre-award survey, or to require other evidence of technical, production, managerial, financial, or other abilities prior to the award of the contract.

The BPUB will follow Texas Local Government Code procurement procedures found at: Sections 252.021(b)(c); 252.041(b); 252.042; 252.043(h); 252.049(b).

To ensure that the award is made to the Firm whose proposal best meets the needs of the BPUB, discussion may be conducted with the top three (3) rated Firms at BPUB's discretion. After the meeting(s), five (5) working days will be allowed for the Firms to submit all requested additional information and explanations in writing, which shall be deemed a part of their final offer. The Firm shall submit with such clarifications and explanations any revised projected schedule. The Firms shall be treated fairly and equally with respect to any and all opportunities for discussion, clarification, and explanation of proposals.

PROPOSAL SUBMISSION REQUIREMENTS

a. It is the proposing Firm's responsibility to provide all required information. No information beyond that specifically requested is required, and proposing Firms are requested to keep their submissions to the shortest length consistent with making a complete presentation of qualifications. Unless otherwise indicated, a proposal that does not provide all of the information requested below may be rejected.

b. The proposals must follow all formats and address all portions of the RFP set forth herein providing all information requested.

c. To this end, the proposing Firm shall complete and/or submit the following documents as part of the sealed proposal package presented in the following format and order:

   (1) All proposals must be:
      (a) Clearly legible;
      (b) Sequentially page-numbered;
      (c) Organized in the sequence as listed in the RFP proposal format;
      (d) Correctly identified with the RFP number and submittal deadline; responsive to all RFP requirements;
      (e) Typed on 8½ by 11 paper;
      (f) In Arial or Times New Roman font, size 12 for normal text, no less than size 10 for tables, graphs, and appendices;
      (g) Bound, (no ring binders); and
      (h) Submitted as five (5) signed identical copies and one (1) electronic version of the entire proposal document (PDF format on a USB stick). Proposals may not include materials or pamphlets not specifically requested in this RFP.

   (2) Proposal Format
   The proposals must be structured, presented, and labeled in the following manner:
      Tab 1 – Table of Contents
      Tab 2 – Executive Summary
      Tab 3 – Firms and Project Work Plan
      Tab 4 – Key Personnel
      Tab 5 – Background, Experience, and References
      Tab 6 – Exceptions
      Tab 7 – Price (Proposal Cost Sheet)
      Tab 8 – Certifications and Other Required Forms

d. Failure to follow the specified format, label the responses correctly, or address all of the subsections may, at the BPUB's sole discretion, result in the rejection of the Proposal. Proposals should not contain extraneous information. All information presented in a Proposal must be relevant in response to a requirement of this RFP, must be clearly labeled, and, if not incorporated into the body of the Proposal itself, must be referenced to the appropriate place within the body of the Proposal. The Proposal pages shall be numbered, and each section (tab) labeled.

e. Format and Content
Proposals must be organized as follows:

TAB 1: TABLE OF CONTENTS – Identify each major section (tab), all pages are to be numbered.

TAB 2: EXECUTIVE SUMMARY – Include the contact information, including name, title, address, phone number, and email, for Proposer's primary representative(s) for purposes of this RFP. Limited to two (2) pages, provide a brief executive summary outlining the overall Proposal.

TAB 3: FIRMS AND PROJECT WORK PLAN

(a) Give a summary of the Firm's history, experience, and qualifications, including years in business, locations, size, growth, annual sales, scope of product and service lines, and customer service.
(b) Provide a scope of work or description of activities, as well as a schedule for completion of the required work including major milestones, based on the integrations, background, and conditions.
(c) Provide any data or effort required from the BPUB in order for the work plan to be achieved successfully.

TAB 4: KEY PERSONNEL

(a) Provide a project staff chart clearly identifying the project manager and key personnel associated with conducting the required Scope of Work.
(b) Provide resumes/profiles of the project manager and key personnel associated with conducting the required Scope of Work. Firm must ensure that staff has all required licenses, certifications, and training appropriate for such persons' role and function within the Firm. Include information for the individual responsible for overall management and performance under the contract, the individual primarily responsible for the order fulfillment function of the scope of work, and the individual primarily responsible for the direct support function of the proposing Firm.

TAB 5: BACKGROUND, EXPERIENCE, AND REFERENCES

(a) Complete the attached "Previous Customer Reference Worksheet" for each reference provided. Provide at least three (3) references within the past three (3) years of completed projects which best illustrate the experience of the Firm. To the extent possible, references should be of similar size, scope, and entity to BPUB.
(b) Supply BPUB with a list of all organizations or municipalities for which the Proposer has provided services that are essentially equivalent to the system and services being proposed.

TAB 6: EXCEPTIONS – Discuss exceptions or requested changes, if any, to the RFP terms. Any exceptions identified must include: identification of each proposed change; and reasons for, as well as specific recommendations for, alternative language. If there are no exceptions noted, it is assumed that all such conditions, procedures, exhibits, and requirements are accepted.

TAB 7: PRICE – Complete the Proposal Cost Sheet provided herein by providing your best proposed prices. Pricing shall be inclusive of all quoted materials, travel and expenses required to complete the scope of work described in this RFP.

TAB 8: CERTIFICATIONS AND OTHER REQUIRED FORMS - Complete, sign, and submit all certifications and other required forms as listed below and place behind this TAB:

(a) Proposal Acknowledgement Form (submit this page upon receipt, can include copy in the Proposal). Any modifications or alterations to this form shall not be accepted.
(b) Ethics Statement
(c) Conflict of Interest Questionnaire
(d) W9 or W8-BEN
(e) Insurance Requirements - Evidence of policy or ability to obtain a professional liability (E&O) policy must be submitted in order to be considered. The Firm will be required to have a professional liability policy with a minimum limit of $1,000,000.
(f) Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Certified statement that the Firm is not debarred, suspended, or otherwise prohibited from professional practice by any Federal, State, or Local agency. This form must be submitted in order to be considered.

EVALUATION PROCEDURE AND CRITERIA

All proposals must be completed and convey all of the information requested in order to be considered responsive. If the proposal fails to conform to the essential requirements of the RFP, the Brownsville PUB alone will determine whether the variance is significant enough to consider the proposal unresponsive and therefore not considered for award. Only the information provided with the proposal, subsequent discussions and clarifications provided in writing, and the proposer's written Best and Final Offer, is used in the evaluation process and award determination. Only these criteria will be considered on the award determination.

A BPUB committee will review the proposals submitted in response to this request and will make recommendations. The BPUB committee will review all proposals in light of the following major evaluation criteria with corresponding weights for each pertinent packet for a maximum of 100 points. Finalist agencies may be expected to conduct presentations during a BPUB Board of Directors meeting. Presentations may encompass (but are not limited to) past projects and demonstration of ability to understand and design based on client needs.

1.	Software Functional Requirements Alignment	Weight: 30
2.	Implementation Plan	Weight: 15
3.	Project Team Expertise and Related Experience	Weight: 15
4.	Training, Support, and Documentation	Weight: 10
5.	Cost Proposal / Best Value	Weight: 30
		Maximum Points 100

Please be advised that cost will not be the sole determining factor in the BPUB's selection of a Firm to provide the services specified in the Scope of Work in this RFP. The decision to conduct interviews or check references of individual Firms, all Firms, or no Firm is at the sole discretion of the BPUB.

All responses submitted become the property of the BPUB and are subject to the Public Information Act (Texas Government Code Chapter 552). All documentation shall be open for public inspection, except for trade secrets and confidential information so identified by firm as such. All confidential information should be specifically and conspicuously marked as such in red. The BPUB will follow all requirements and procedures in the Public Information Act when responding to requests for disclosure of documents.

PROPOSAL COST SHEET
P032-24

Cost for performing the services is to be itemized below according to the major categories identified in the ‘Milestones Table above’.

The undersigned Firm, having read and examined the requirements and specifications for the above, proposes to perform the services set forth in the Original Proposal. The undersigned Firm hereby proposes to furnish the following product, as described herein, for the fixed fee of:

IMPLEMENTATION		
ITEM	DESCRIPTION	TOTAL COSTS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
	TOTAL	

ADD-ON SERVICES (IF APPLICABLE)		
ITEM	DESCRIPTION	TOTAL COSTS
1		
2		
3		
4		
5		
6		
	TOTAL	

NOTE: Fees should include all items described under the scope of services section, to include training, travel, lodging, and miscellaneous expenses.

Company Name:____

Authorized Company Representative:______________________________

Authorized Company Representative:______________________________
Signature **(Failure to sign proposal will disqualify it)**

Company Address:____

____

Telephone #: ____

Fax #: ____

Email: ____

REQUIRED FORMS
CHECKLIST

The following documents are to be submitted as a part of the Bid/RFP/RFQ document

NAME	FORM DESCRIPTION		SUBMITTED WITH BID	
			YES	NO
Legal Notice	Acknowledgement Form		☐	☐
	Debarment Certificate		☐	☐
	Ethic Statement		☐	☐
	Conflict of Interest Questionnaire		☐	☐
	W9 or W8 Form		☐	☐
	Direct Deposit Form (will be provided to the awarded vendor)		☐	☐
	Residence Certification Form		☐	☐
Special Instructions (if applicable)	Proposal Cost Sheet completed and signed		☐	☐
	Cashier Check or Bid Bond of 5% of Total Amount of Bid (not applicable to this RFP)		☐	☐
	OSHA 300 Log (not applicable to this RFP)		☐	☐
	Contractor Pre-Proposal Disclosure completed, signed and notarized (not applicable to this RFP)		☐	☐
	Sub-Contractor Pre-Proposal Disclosure completed, signed, and notarized (not applicable to this RFP)		☐	☐
	Tabs 1 - 8		☐	☐
References	Complete the Previous Customer Reference Worksheet for each reference provided		☐	☐
Addenda				

ETHICS STATEMENT

(COMPLETE AND RETURN WITH PROPOSAL)

The undersigned Firm, by signing and executing this proposal, certifies and represents to the Brownsville Public Utilities Board that Firm has not offered, conferred or agreed to confer any pecuniary benefit, as defined by (1.07 (a) (6) of the Texas Penal Code, or any other thing of value as consideration for the receipt of information or any special treatment of advantage relating to this proposal; the Firm also certifies and represents that they have not offered, conferred or agreed to confer any pecuniary benefit or other thing of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this proposal, the Firm certifies and represents that they have neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent or employee of the Brownsville Public Utilities Board concerning this proposal on the basis of any consideration not authorized by law; the Firm also certifies and represents that they have not received any information not available to other Firms so as to give the undersigned a preferential advantage with respect to this proposal; the Firm further certifies and represents that they have not violated any state, federal, or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that Firm will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value of any officer, trustee, agent or employee of the Brownsville Public Utilities Board in return for the person having exercised their person's official discretion, power or duty with respect to this proposal; the Firm certifies and represents that it has not now and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent, or employee of the Brownsville Public Utilities Board in connection with information regarding this proposal, the submission of this proposal, the award of this proposal or the performance, delivery or sale pursuant to this proposal.

THE FIRM SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE BROWNSVILLE PUBLIC UTILITIES BOARD, ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ALL CLAIMS, ACTIONS, SUITS, DEMANDS, PROCEEDING, COSTS, DAMAGES, AND LIABILITIES, ARISING OUT OF, CONNECTED WITH, OR RESULTING FROM ANY NEGLIGENT ACTS OR OMISSIONS OF CONTRACTOR OR ANY AGENT, EMPLOYEE, SUBCONTRACTOR, OR SUPPLIER OF CONTRACTOR IN THE EXECUTION OR PERFORMANCE OF THIS PROPOSAL.

I have read all of the specifications and general proposal requirements and do hereby certify that all items submitted meet specifications.

COMPANY: ____

AGENT NAME: _____________________________________

AGENT SIGNATURE: ________________________________

ADDRESS: ____

CITY: ____

STATE: _____________________________ ZIP CODE: ________________

TELEPHONE: ________________________ TELEFAX: ___________________

FEDERAL ID#: ____________________ AND/OR SOCIAL SECURITY #:___________

DEVIATIONS FROM SPECIFICATIONS IF ANY:

NOTE: QUESTIONS AND CONCERNS FROM PROSPECTIVE CONTRACTORS SHOULD BE RAISED WITH OWNER AND ITS CONSULTANT (IF APPLICABLE) AND RESOLVED IF POSSIBLE, PRIOR TO THE PROPOSAL SUBMITTAL DATE. ANY LISTED DEVIATIONS IN A FINALLY SUBMITTED PROPOSAL MAY ALLOW THE OWNER TO REJECT A PROPOSAL AS NON-RESPONSIVE.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

(PLEASE COMPLETE AND RETURN WITH PROPOSAL)

Name of Entity:____

The prospective participant certifies to the best of their knowledge and belief that they and their principals:

a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency:
b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, Local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, Local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Section 1001, a false statement may result in a fine up to a $10,000.00 or imprisonment for up to five (5) years, or both.

____

Name and Title of Authorized Representative (Typed)

___________________________________ _______________________

Signature of Authorized Representative Date

☐ I am unable to certify to the above statements. My explanation is attached.

FORM CIQ

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND SUBMITTED WITH PROPOSAL RESPONSE

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 **Name of local government officer about whom the information is being disclosed.**

____
Name of Officer

4 **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

5 **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

______________________________ ______________
Signature of vendor doing business with the governmental entity Date

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 1/1/2021

CONFLICT OF INTEREST QUESTIONNAIRE

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
(B) a transaction conducted at a price and subject to terms available to the public; or
(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

***

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 1/1/2021

BROWNSVILLE PUBLIC UTILITIES BOARD
RESIDENCE CERTIFICATION

In accordance with Art. 601g, as passed by the 1985 Texas Legislature, the following will apply. The pertinent portion of the Act has been extracted and is as follows:

Section 1. (a)

(1) "Nonresident bidder" means a bidder whose principal place of business is not in this state, but excludes a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

(2) "Texas resident bidder " means a bidder whose principal place of business is in this state, and includes a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

Section 1. (b)

The state or governmental agency of the state may not award a contract for general construction, improvements, services, or public works projects or purchases of supplies, materials or equipment to a nonresident bidder unless the nonresident's bid is lower than the lowest bid submitted by a responsible Texas resident bidder by the same amount that a Texas resident bidder would be required to underbid a nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

I certify that ____
(Company Name) is **a resident Texas bidder** as defined in Art. 601g.

Signature: ____

Print Name: ____

I certify that ____
(Company Name) is a **nonresident bidder** as defined in Art. 601g. and our principal place of business is:____
(City and State)

Signature: ____

Print Name: ____

PREVIOUS CUSTOMER REFERENCE WORKSHEET

Name of Customer:		Customer Contact:
Customer Address:		Customer Phone Number:
		Customer Email:

Name of Company Performing Referenced Work:

What was the Period of Performance?		What was the Final Acceptance Date?
From: To:		
Dollar Value of Contract? $____________________		What Type of Contract? ☐Firm Fixed Price ☐Time and Material ☐Not to Exceed ☐Cost Plus Fixed Fee ☐Other, Specify:______________________

Provide a brief description of the work performed for this customer (add additional page if required)

FORM W-9

Form **W-9** (Rev. October 2018) Department of the Treasury Internal Revenue Service	**Request for Taxpayer Identification Number and Certification** ► Go to *www.irs.gov/FormW9* for instructions and the latest information.	**Give Form to the requester. Do not send to the IRS.**

Print or type. See **Specific Instructions** on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► ________

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) ________

Exemption from FATCA reporting code (if any) ________

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I **Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number

☐☐ – ☐☐☐☐☐☐☐

Part II **Certification**

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person ►** **Date ►**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Cat. No. 10231X Form **W-9** (Rev. 10-2018)

FORM W-8BEN-E

Form **W-8BEN-E** (Rev. October 2021) Department of the Treasury Internal Revenue Service	**Certificate of Status of Beneficial Owner for United States Tax Withholding and Reporting (Entities)** ► For use by entities. Individuals must use Form W-8BEN. ► Section references are to the Internal Revenue Code. ► Go to *www.irs.gov/FormW8BENE* for instructions and the latest information. ► Give this form to the withholding agent or payer. Do not send to the IRS.	OMB No. 1545-1621

Do NOT use this form for: **Instead use Form:**

- U.S. entity or U.S. citizen or resident . . . W-9
- A foreign individual . . . W-8BEN (Individual) or Form 8233
- A foreign individual or entity claiming that income is effectively connected with the conduct of trade or business within the United States (unless claiming treaty benefits) . . . W-8ECI
- A foreign partnership, a foreign simple trust, or a foreign grantor trust (unless claiming treaty benefits) (see instructions for exceptions) . . W-8IMY
- A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming that income is effectively connected U.S. income or that is claiming the applicability of section(s) 115(2), 501(c), 892, 895, or 1443(b) (unless claiming treaty benefits) (see instructions for other exceptions) . . . W-8ECI or W-8EXP
- Any person acting as an intermediary (including a qualified intermediary acting as a qualified derivatives dealer) . . . W-8IMY

Part I Identification of Beneficial Owner

1 Name of organization that is the beneficial owner

2 Country of incorporation or organization

3 Name of disregarded entity receiving the payment (if applicable, see instructions)

4 Chapter 3 Status (entity type) (Must check one box only):

- ☐ Corporation
- ☐ Partnership
- ☐ Simple trust
- ☐ Tax-exempt organization
- ☐ Complex trust
- ☐ Foreign Government - Controlled Entity
- ☐ Central Bank of Issue
- ☐ Private foundation
- ☐ Estate
- ☐ Foreign Government - Integral Part
- ☐ Grantor trust
- ☐ Disregarded entity
- ☐ International organization

If you entered disregarded entity, partnership, simple trust, or grantor trust above, is the entity a hybrid making a treaty claim? If "Yes," complete Part III. ☐ Yes ☐ No

5 Chapter 4 Status (FATCA status) (See instructions for details and complete the certification below for the entity's applicable status.)

- ☐ Nonparticipating FFI (including an FFI related to a Reporting IGA FFI other than a deemed-compliant FFI, participating FFI, or exempt beneficial owner).
- ☐ Participating FFI.
- ☐ Reporting Model 1 FFI.
- ☐ Reporting Model 2 FFI.
- ☐ Registered deemed-compliant FFI (other than a reporting Model 1 FFI, sponsored FFI, or nonreporting IGA FFI covered in Part XII). See instructions.
- ☐ Sponsored FFI. Complete Part IV.
- ☐ Certified deemed-compliant nonregistering local bank. Complete Part V.
- ☐ Certified deemed-compliant FFI with only low-value accounts. Complete Part VI.
- ☐ Certified deemed-compliant sponsored, closely held investment vehicle. Complete Part VII.
- ☐ Certified deemed-compliant limited life debt investment entity. Complete Part VIII.
- ☐ Certain investment entities that do not maintain financial accounts. Complete Part IX.
- ☐ Owner-documented FFI. Complete Part X.
- ☐ Restricted distributor. Complete Part XI.
- ☐ Nonreporting IGA FFI. Complete Part XII.
- ☐ Foreign government, government of a U.S. possession, or foreign central bank of issue. Complete Part XIII.
- ☐ International organization. Complete Part XIV.
- ☐ Exempt retirement plans. Complete Part XV.
- ☐ Entity wholly owned by exempt beneficial owners. Complete Part XVI.
- ☐ Territory financial institution. Complete Part XVII.
- ☐ Excepted nonfinancial group entity. Complete Part XVIII.
- ☐ Excepted nonfinancial start-up company. Complete Part XIX.
- ☐ Excepted nonfinancial entity in liquidation or bankruptcy. Complete Part XX.
- ☐ 501(c) organization. Complete Part XXI.
- ☐ Nonprofit organization. Complete Part XXII.
- ☐ Publicly traded NFFE or NFFE affiliate of a publicly traded corporation. Complete Part XXIII.
- ☐ Excepted territory NFFE. Complete Part XXIV.
- ☐ Active NFFE. Complete Part XXV.
- ☐ Passive NFFE. Complete Part XXVI.
- ☐ Excepted inter-affiliate FFI. Complete Part XXVII.
- ☐ Direct reporting NFFE.
- ☐ Sponsored direct reporting NFFE. Complete Part XXVIII.
- ☐ Account that is not a financial account.

6 Permanent residence address (street, apt. or suite no., or rural route). **Do not use a P.O. box or in-care-of address** (other than a registered address).

City or town, state or province. Include postal code where appropriate. | Country

7 Mailing address (if different from above)

City or town, state or province. Include postal code where appropriate. | Country

For Paperwork Reduction Act Notice, see separate instructions. Cat. No. 59689N Form **W-8BEN-E** (Rev. 10-2021)